

SUBJECT: Creating an offense for disclosing the location or layout of certain shelters

COMMITTEE: Criminal Jurisprudence — committee substitute recommended

VOTE: 9 ayes — Collier, Zedler, K. Bell, J. González, Hunter, P. King, Moody, Murr, Pacheco

0 nays

WITNESSES: For — (*Registered, but did not testify:* Jason Sabo, Children at Risk; M Paige Williams, Dallas County Criminal District Attorney John Creuzot; Michael Barba, Texas Catholic Conference of Bishops; Idona Griffith)

Against — None

BACKGROUND: Under Government Code sec. 552.138, certain information maintained by a family violence shelter, victims of trafficking shelter, or sexual assault program, including information related to the location or physical layout of a family violence shelter or victims of trafficking shelter, is excepted from certain provisions requiring disclosure under state public information law. Sec. 552.352 makes it an offense for a person to distribute information considered confidential.

Concerns have been raised that there is no specific and adequate penalty or other deterrent for disclosing the location or physical layout of such shelters.

DIGEST: CSHB 3091 would make it a criminal offense for a person, with the intent to threaten the safety of any inhabitant of a family violence shelter center or victims of trafficking shelter center, disclosed or publicized the location or physical layout of the center. The offense would be a class A misdemeanor (up to one year in jail and/or a maximum fine of \$4,000).

If a person's conduct constituted an offense under both this law and Government Code sec. 552.352, the person could be prosecuted under either section.

The bill would take effect September 1, 2019.